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COMMISSION ON HUMAN RIGHTS
Intergovernmental working group of experts
on human rights of migrants
Second session
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INFORMATION AND COMMENTS RECEIVED FROM GOVERNMENTS, UNITED NATIONS BODIES, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

ANNEX

Submission from the Dansk Flygtningehjaelp
dated 3 February 1998

GE.98-10420

Questionnaire on the human rights of Migrants:

1. Figures/Estimates.

Total population: 5,275,121, of which 237,695 are foreign nationals resident in Denmark, (annex 1)

Non-nationals having authorisation to work in the country: Denmark put a stop to labour immigration in 1973. Foreigners staying in Denmark are asylum seekers, recognised refugees, immigrants who came before 1973 and their descendants, persons who have been reunited with their families, foreigners and students accepted for certain works and studies, and certain smaller categories of rejected asylum seekers who have been granted temporary permission to stay on humanitarian or other particular grounds. With the exception of asylum seekers who are *per se* excluded from obtaining work permits and some categories of persons granted temporary residense (e.g. parents reunited with non-nationals resident in Denmark or persons staying on humanitarian or other particular grounds) who will normally only be granted work permit after a period of 1 to 5 years residence in Denmark, non-nationals are normally granted permission to work at the same time as obtaining a residence permit.

Estimates of irregular migrants, including visa abusers, by country of origin: As far as the Danish Refugee Council is informed, the number is very small.

2. Measures being taken to strengthen the promotion, protection and implementation of the human rights of migrants

Legal measures: Denmark ratified the European Convention on Human Rights in 1953. In 1992 it was provided by Statute that the Convention should be considered integral part of national law.

Public information and education: The Danish Centre for Human Rights publishes various information and educational material and arranges seminars on human rights issues. More particularly, the Centre functionned as national secretariat for the European Year against Racism in 1997. Main topics included the labour market, youth, cultural life and legislation (see annexe 2). The Danish Refugee Council was member of the national committee for the year.

Provision of direct assistance and services: The Danish Refugee Council is a private non-governmental organisation, which on basis of the principles contained in the 1951 Convention and 1967 Protocol relating to the Status of Refugees and the 1948 Universal Declaration on Human Rights provides legal counselling to asylum seekers and assists recognised refugees in their integration process in Denmark.

Other measures, including bilateral and multilateral arrangements: The Danish Refugee Council assists refugees abroad under various international projects. The implementation of these projects is based on the same principles as mentioned above.

3.Manifestations of racism, xenophobia and other forms of discrimination against migrants.

The question about discrimination has been a hot issue in Denmark for some years not the least during 1997, where anti-immigrant parties advanced in municipal elections. There is discrimination in Denmark, both directly and indirectly. The question is always how much and how serious. Special focus has been on the *labour market* where the very high rate of unemployment amongst immigrants and refugees is cause of alarm. Steady economic growth since 1993 coupled with the introduction of new early retirement benefits have tightened the labour market. Although a general fall in unemployment rates over the last years has been of particular importance to the immigrant/refugee population, the unemployment experienced by this group is still relatively much more serious than for the population at large.

On 17 December 1997 an integration bill was submitted by the government to Parliament. Some of the proposals contained herein are causing of very serious concern to the Danish Refugee Council.

First, it is, through the introduction of radical economic sanctions, proposed that recognised refugees should not be able to settle freely in the country during the first three years of their stay in the country. It is the opinion of the Danish Refugee Council that this proposal is probably in breach with Article 26 of the 1951 Convention relating to the Status of Refugees on the right to *freedom of movement*, as well as with with Articles 2 and 12 of the International Covenant on Civil and Political Rights.

Second, it is proposed that in the future refugees and immigrants during the first three years of their stay in Denmark should be entitled to *public relief and assistance* at a considerably lower level than is provided for Danish nationals. It is the opinion of the Danish Refugee Council that as far as recognized refugees are concerned this proposal is discriminatory in its kind and most likely in breach with Article 23 of the 1951 Convention Relating to the Status of Refugees.

4 Ratification of the 1990 International Convention.....(No 143)
As far as we have been informed the ILO instruments are currently being considered by the Ministry of Interior for possible ratification.

Secretariat note: The two annexes are kept by the Secretariat and are available upon request.